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TO: HONORABLE DIRECTOR OF PATENTS AND TRADEMARKS

EXAMINER: Tu T. Nguyen

GROUP ART UNIT: 2877

ATTN Examiner

MAIL STOP Responses No Fee

Attached: Response To Restriction Requirement Of November 12, 2003

If you do not receive all pages, please contact William M. Lee, Jr. at (312) 214-4800 or his assistant, Jennifer Ramirez at (312) 214-4829.

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December 11, 2003

920537-905639

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF

Sebastian John Savory

SERIAL NO.: 10/005,296

FILED: December 5, 2001

FOR: PMD Measurement and Compensation

) Examiner: Tu T. Nguyen

Group Art Unit: 2877

Customer Number: 23644

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RESPONSE TO RESTRICTION REQUIREMENT OF NOVEMBER 12, 2003

Honorable Director of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the examiner's restriction requirement of November 12, 2003, the applicant elects, with traverse, Group I, comprising claims 1 through 18. Reconsideration, however, is requested.


Although the examiner's office action has the typical paragraphs regarding combination and subcombination, as the examiner has admitted, both "inventions" are classified in the same class and same subclass. Were there different classification, then perhaps the examiner's requirement would make more sense. However, since both groups of claims are to be classified in the identical class and subclass, there appears to be no basis for separation.

Furthermore, the examiner has indicated that the subcombination has "separate utility". If the claims of Group II are a subcombination, then those claims should be subsumed within the scope of the combination. As such, separate utility would make no sense.

It is therefore requested that the examiner reconsider the requirement for restriction and retain all claims in the present application.

December 11, 2003

Respectfully submitted,


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